

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A JUDGE, NO. 01-244
(Judge Charles W. Cope)

Case No. SC01-2670

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SPECIAL COUNSEL'S EMERGENCY

MOTION TO PROHIBIT AMENDMENTS TO WITNESS

AND EXHIBIT LISTS ABSENT COURT AUTHORIZATION

The Special Counsel hereby moves for an order striking Judge Cope's Amended Witness and Exhibit List, Second Amended Witness and Exhibit List, Third Amended Witness and Exhibit List and all further amended lists and to prohibit the addition of witnesses or exhibits without prior leave of court and in support thereof states:

1. The Chair has previously ordered that the parties provide their witness and expert lists no later than June 17, 2002.

2. Judge Cope served his initial list on June 17, 2002. Since that date, however, he has already served three amendments adding witnesses and exhibits, all without leave of court.

3. The Special Counsel simply cannot adequately prepare for trial with this never-ending parade of amendments. It is simply too late to be adding witnesses and exhibits without good reason.

WHEREFORE, the Chair should strike Judge Cope's Amended Witness and Exhibit List, Second Amended Witness and Exhibit List, Third Amended Witness and Exhibit List and all further amended lists and prohibit the addition of witnesses or exhibits without prior leave of

court.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by facsimile and regular U.S. mail to: **Robert W. Merkle, Jr., Esq.**, Co-Counsel for Respondent, 5510 W. La Salle Street, #300, Tampa, Florida 33607-1713; **Judge James R. Jorgenson**, Chair of the Judicial Qualifications Commission Hearing Panel, 3rd District Court of Appeal, 2001 S.W. 117th Ave., Miami, Florida 33175-1716; **John Beranek, Esq.**, Counsel to the Hearing Panel of the Judicial Qualifications Commission, P.O. Box 391, Tallahassee, Florida 32301; **Brooke S. Kennerly**, Executive Director of the Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, Florida 32303; **Thomas C. MacDonald, Jr., Esq.**, General Counsel to the Investigative Panel of the Judicial Qualifications Commission, 100 North Tampa Street, Suite 2100, Tampa, Florida 33602 this 19th day of June, 2002.

By:

John S. Mills, Esq.

Florida Bar No. 0107719

Special Counsel

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